

Emergency Variances

California Reformulated Gasoline and
California Diesel Fuel

- ▶ Both the Air Resources Board and its Executive Officer may issue emergency variances
 - At their own volition due to ARB's independent determination that a variance is needed, or
 - In response to a request from a fuel producer
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California Health & Safety Code section 43013.2(g)

- ▶ If a physical catastrophe occurs to a producer of complying gasoline, the state board may extend a variance upon the showing of need.
- ▶ ...“physical catastrophe” means a sudden unforeseen emergency beyond the reasonable control of the refiner, causing the severe reduction or total loss of one or more critical refinery units that materially impact the refiner's ability to produce complying gasoline.

California Reformulated Gasoline

- ▶ Title 13, California Code of Regulations, section 2271(h)
- ▶ Application to Executive Officer w/ fee of \$2500
- ▶ Executive Officer emergency variance hearing* on determination of “reasonably unforeseeable extraordinary hardship and good cause that a variance is necessary”
- ▶ Conditions and limitations
 - Increments of progress and reporting requirements
 - Variance gasoline specifications (7 or 8 properties)
 - $Rvp \leq 9.0$ psi during Rvp control periods
 - Volume limit based on complying gasoline production
 - \$0.15-per-gallon fee
 - Duration \leq 45 days

*Does not require public notice or participation

Gasoline Sulfur Content

- ▶ California Reformulated Gasoline
 - Cap limit, 20 ppm
 - Average sulfur content, 6 ppm
- ▶ Federal Gasoline
 - Downstream cap, 95 ppm
 - Refinery gate cap, 80 ppm
 - Producer annual-average limit
 - Tier 2, 30 ppm
 - Tier 3 (beginning January 1, 2017), 10 ppm

California Diesel Fuel

- ▶ Title 13, California Code of Regulations, sections 2281(e)(9) and 2282(i)(9)
- ▶ Application to Executive Officer
- ▶ Executive Officer emergency variance hearing* on determination of “reasonably unforeseeable extraordinary hardship and good cause that a variance is necessary”
- ▶ Conditions and limitations
 - Increments of progress requirements
 - Variance sulfur content limitation per 2281(e)
 - Variance aromatic HC content limitation per 2282(i)
 - Duration \leq 45 days

* Does not require public notice or participation

Diesel Fuel Specifications

▶ California Diesel Fuel

- Sulfur content, 15 ppm (maximum)
- Aromatic hydrocarbon content, 10 percent by volume (maximum), or emission-equivalent formulation, or designated equivalent limits:
 - Aromatic HC content \leq 21.0 % by wt.
 - PAH content \leq 3.5 % by wt.
 - API gravity \geq 36.9
 - Cetane number \geq 53

▶ Federal Diesel Fuel

- Sulfur content, 15 ppm (maximum)
- Aromatic hydrocarbon content, 35 percent by volume (maximum), or cetane index, 40 (minimum)

Contacts

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